



Ace/2143 \$

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 09/451,827

Confirmation No.: 9567

Applicants : Stephen J. SWARTZ et al.
Filed : November 30, 1999
TC/A.U. : 2143
Examiner : Joseph E. Avellino

Docket No. : 86769-0050

RECEIVED

Customer No. : 30398

JUN 09 2004

Mail Stop RCE
Commissioner of Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Technology Center 2100

REQUEST FOR CONTINUED EXAMINATION (RCE)

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

1. The required submission under 37 C.F.R. § 1.114:

a. Was previously submitted

i. Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on

ii. Consider the arguments in the Appeal Brief or Reply Brief previously filed on

iii. Other

b. Is enclosed

i. Amendment/Reply

ii. Affidavit Under 37 CFR § 1.132

iii. Information Disclosure Statement (IDS)

iv. Other

2. **Applicant petitions for an extension of time, the fees for which are set out in 37 C.F.R. §1.17(a), for the total number of months checked below:**

<u>Total Months Requested</u>	<u>Fee for Extension</u>
<input type="checkbox"/> one month	\$ 55.00 (110.00)
<input type="checkbox"/> two months	\$ 210.00 (420.00)
<input checked="" type="checkbox"/> three months	\$ 475.00 (950.00)
<input type="checkbox"/> four months	\$ 740.00 (1,480.00)

3. **Fee Calculation (37 C.F.R. § 1.16):**

CLAIMS FOR FEE CALCULATION					
	Number as Previously Filed	Present Number of Claims	Number Extra	At Rate of	Fee \$ 770.00
Total Claims (37 C.F.R. §1.16(c))	20	20	0	\$ 18.00 each =	+\$ 0.00
Independent Claims (37 C.F.R. §1.16(b))	4	4	0	\$ 86.00 each =	+\$ 0.00
SUB-TOTAL =					\$ 770.00
Reduction by 1/2 for filing by a small entity					-\$ 0.00
TOTAL FILING FEE =					\$ 770.00

4. **Miscellaneous:**

a. Suspension of action on the above-identified application is requested under 37 C.F.R. § 1,103(c) for a period of months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)

b. Other

5. **Fees:**

The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

a. **Check No. 11504** in the amount of \$ 1,720.00 is enclosed for the RCE fee of \$770.00 and a three-month extension of time fee of \$950.00 noted above.

b. The Commissioner is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 50-1349.

i. RCE fee required under 37 C.F.R. § 1.17(e) in the amount of \$

ii. Extension of time fee (37 C.F.R. § 1.17(a)) in the amount of \$

iii. Other

Except for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§1.16 and 1.17 which may be required, including any required extension of time fees, or credit any overpayment to Deposit Account 50-1349. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. §1.136(a)(3).

Respectfully submitted,

HOGAN & HARTSON LLP

Dated: June 7, 2004

HOGAN & HARTSON LLP
555 13th Street, N.W.
Washington, D.C. 20004
Telephone: 202-637-5703
Facsimile: 202-637-5910
e-mail: cjcrowson@hhlaw.com
Customer No. 30398

By: 

Celine Jimenez Crowson
Registration No. 40,357

Ajit J. Vaidya
Registration No. 43,214

David D. Nelson
Registration No. 47,818